

JOURNAL OF THE ASSEMBLY [February 18, 1971]

STATE OF WISCONSIN

Assembly Journal

Eightieth Regular Session

THURSDAY, February 18, 1971.

9:00 A.M.

The assembly met.

The speaker in the chair.

The prayer was offered by Dr. Lawrence L. Gruman, Pastor of First Congregational Church, 1609 University Avenue, Madison, Wisconsin.

Representative Schroeder led the membership in reciting the pledge of allegiance to the flag of the United States.

The roll was taken.

The result follows:

Present—Alberts, Anderson, Atkinson, Azim, Baldus, Barbee, Berger, Boeckmann, Bolle, Bradley, Brown, Bultman, Byers, Conradt, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Ellis, Everson, Ferrall, Froehlich, Gaulke, Giese, Greider, Groshek, Grover, Guiles, Hanna, Hanson, Helgeson, Hephner, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kafka, Kessler, Kleczka, Klicka, Korpela, LaFave, Lewison, Looby, Luckhardt, Lynn, McCormick, McDougal, McEssy, Mato, Merkel, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Quinn, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Sicula, Slaby, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Thompson T. G., Tobiasz, Tregoning, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Willkom and Mr. Speaker—98.

Absent with leave—Lipscomb—1.

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AMENDMENTS OFFERED

Assembly substitute amendment 1 to Assembly Bill 173 offered by Representative Atkinson.

Assembly amendment 1 to Assembly Bill 112 offered by Representative Mittness.

Assembly amendment 1 to Assembly Bill 125 offered by Representative Mittness.

Assembly amendment 1 to Assembly Bill 223 offered by Representative Atkinson.

Assembly amendment 1 to Assembly Bill 198 offered by Representative W. A. Johnson, by request of The Professional Firefighters of Wisconsin and The Wisconsin Professional Policeman's Association.

Assembly amendment 1 to Assembly Bill 151 offered by Representatives Barbee and Orlich.

Assembly amendment 1 to assembly substitute amendment 1 to Assembly Bill 38 offered by Representative Jackamonis.

INTRODUCTION AND REFERENCE OF
RESOLUTIONS

Read and referred:

Assembly Joint Resolution 31

By Representative Froehlich, by request of Miss Gladys Walsh.

To committee on Judiciary.

Assembly Joint Resolution 32

By Representatives Earl and Stalbaum.

Representative Earl asked unanimous consent that the rules be suspended and Assembly Joint Resolution 32 be taken up at this time. Granted.

The question was: Adoption?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Joint Resolution 22 be immediately messaged to the senate. Granted.

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INTRODUCTION AND REFERENCE OF BILLS

Read first time and referred:

Assembly Bill 327

**By Representatives Alberts, LaFave, Giese and Mittness.
To committee on Education.**

Assembly Bill 328

**By Representatives Merkel, Schowalter, T. G. Thompson, Tregoning, Schricker, Luckhardt, Wackett, Klicka, Giese, Kafka, Froehlich and Lewison.
To committee on Education.**

Assembly Bill 329

**By Representatives Atkinson, Mato, Willkom, Looby, Boeckmann, Vanderperren, Bolle, O'Malley, Kafka, Greider, Oberle, Schricker, Gaulke and Early.
To committee on Veterans' and Military Affairs.**

Assembly Bill 330

**By Representative Froehlich, by request of Miss Gladys Walsh.
To committee on Judiciary.**

Assembly Bill 331

**By Representatives Bolle, Vanderperren, O'Malley, Tobiasz, Otte, Helgeson, Froehlich and Shabaz; co-sponsored by Senator Martin.
To committee on Judiciary.**

Assembly Bill 332

**By Representatives Atkinson, Oberle, Bolle, Mato, O'Malley, Greider, Early, Gaulke, Vanderperren, Looby, Willkom, Jackson, Wahner, Kafka and Schricker; co-sponsored by Senator Pelouquin.
To committee on Veterans' and Military Affairs.**

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Assembly Bill 333

By Representatives Atkinson, Lynn, Oberle, Bolle, O'Malley, Mato, Schricker, Greider, Early, Gaulke, Hanna, Vanderperren, Looby, Willkom, Hanson, Jackson, Wahner and Kafka; co-sponsored by Senator Peloquin.

To joint Survey committee on Tax Exemptions.

Assembly Bill 334

By Representatives Jackson, Sicala, Orlich, Kleczka, Sanasarian, Berger, Pabst, Hanna, Barbee, Conta, McCormick, Tobiasz, Bultman and Kessler, by request of the Professional Policemans Protective Association.

To committee on Labor.

Assembly Bill 335

By Representative Sensenbrenner; co-sponsored by Senator Soik.

To committee on Education.

Assembly Bill 336

By Representatives Berger, Lipscomb, Wahner, Conta, Czerwinski, Swoboda, Early and Hanson.

To committee on Judiciary.

COMMUNICATION

The State of Wisconsin
Department of State
Madison 53702

February 16, 1971.

To The Honorable, The Assembly

Gentlemen: I have the honor to transmit to you pursuant to section 13.67 (2), a list of registered lobbyists for the period beginning February 9, 1971, and ending February 16, 1971.

Yours very truly,

ROBERT C. ZIMMERMAN,
Secretary of State.

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Received and on file in the office of the chief clerk. Pursuant to Joint Rule 36 the list is printed in full in the senate journal only and appears there beginning on page 301.

COMMITTEE REPORTS

The committee on State Affairs reports and recommends:

Assembly Bill 25

Relating to meeting places for county boards.

Adoption of assembly substitute amendment 1; Ayes, 8; Noes, 0 and passage recommended; Ayes, 8; Noes, 0.

Assembly Bill 38

Relating to permitting sheriffs' seizure and sale of abandoned vehicles.

Introduction and adoption of assembly substitute amendment 1; Ayes, 8; Noes, 0 and passage recommended; Ayes, 8; Noes, 0.

Assembly Bill 43

Relating to visual showing of emergency public service announcements on television stations for observance by the deaf.

Passage; Ayes, 8; Noes, 0.

Senate Bill 5

Relating to the Wisconsin State mineral and rock.

Concurrence; Ayes, 8; Noes, 0.

ALVIN BALDUS,
Chairman.

The committee on Labor reports and recommends:

Assembly Bill 63

Relating to alterations in child labor laws and creating a council on child labor in the department of industry, labor and human relations.

Passage; Ayes, 10; Noes, 0.

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Assembly Bill 210

Relating to labor management relations.

Assembly substitute amendment 1, adoption; Ayes, 8; Noes, 2; and passage; Ayes, 8; Noes, 2.

WILLIAM A. JOHNSON,
Chairman.

MESSAGE FROM THE SENATE

By William P. Nugent, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has concurred in:

Motion Under Joint Rule 26.

A Joint Certificate of Congratulations by Representatives Pabst and Sanasarian; co-sponsored by Senator Parys for James C. Windham on the occasion of his being named 1970 "Marketing Man of the Year".

CALENDAR OF FRIDAY, FEBRUARY 12, 1971

POINT OF ORDER

Representative Korpela rose to a point of order that assembly amendment 1 to assembly amendment 1 to Assembly Bill 58 is in incorrect form.

Representative Korpela asked unanimous consent to withdraw his point of order. Granted.

Representative Merkel asked unanimous consent to withdraw assembly amendment 1 to assembly amendment 1 to Assembly Bill 58. Granted.

Assembly amendment 2 to assembly amendment 1 to Assembly Bill 58 offered by Representative Merkel.

Representative Korpela asked unanimous consent that Assembly Bill 58 and all its amendments be referred to the joint committee on Finance. Granted.

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Assembly Bill 59

Relating to state payment of agency school committee expenses and making an appropriation.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent that Assembly Bill 59 be referred to the joint committee on Finance. Granted.

Assembly Bill 143

Relating to spring elections for school board members.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent, that the rules be suspended and that Assembly Bill 143 be given a third reading. Granted.

The question was: This bill having been read three times, Shall the bill pass?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended, and that the assembly's action on Assembly Bill 143 be immediately messaged to the senate. Granted.

SECOND READING AND AMENDMENT OF
SENATE BILLS

Senate Bill 89

Relating to expense allowances for legislators.

Representative Anderson asked unanimous consent that Senate Bill 89 be placed at the foot of the calendar of Thursday, February 18, 1971. Granted.

Representative Anderson asked unanimous consent that the assembly recess until 10:15 A.M. Granted.

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The assembly stood recessed.

9:45 A.M.

RECESS

The assembly reconvened.

10:30 A.M.

CALENDAR OF TUESDAY, FEBRUARY 16, 1971
SECOND READING AND AMENDMENT OF
ASSEMBLY BILLS

Assembly Bill 40

Relating to interest on municipal borrowing.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent, that the rules be suspended and that Assembly Bill 40 be given a third reading. Granted.

The question was: This bill having been read three times, Shall the bill pass?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended, and that the assembly's action on Assembly Bill 40 be immediately messaged to the senate. Granted.

Assembly Bill 82

Relating to disapproval by town boards of county zoning ordinances.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent, that the rules be suspended and that Assembly Bill 82 be given a third reading. Granted.

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The question was: This bill having been read three times, Shall the bill pass?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended, and that the assembly's action on Assembly Bill 82 be immediately messaged to the senate. Granted.

Assembly Bill 89

Relating to lease or sale of space above and below municipal real estate.

Representative Earl asked unanimous consent to speak on the amendment and the bill. Granted.

The question was: Adoption of assembly substitute amendment 1 to Assembly Bill 89?

Motion carried.

The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that Assembly Bill 89 be given a third reading. Granted.

The question was: This bill having been read three times, shall the bill pass?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended and that the assembly's action on Assembly Bill 89 be immediately messaged to the senate. Granted.

LEAVE OF ABSENCE

Representative Shabaz asked unanimous consent for a leave of absence for Representative Schowalter for the balance of today's session. Granted.

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Assembly Bill 99

Relating to election of county officers.

The question was: Adoption of assembly amendment 1 to
Assembly Bill 99?

Motion carried.

Representative Shabaz moved indefinite postponement of
Assembly Bill 99.

The question was: Shall **Assembly Bill 99** be indefinitely
postponed?

The roll was taken.

The vote follows:

Ayes—Alberts, Anderson, Atkinson, Azim, Berger, Bolle,
Bradley, Brown, Byers, Conradt, Conta, Czerwinski, Day,
Dorff, Ellis, Everson, Froehlich, Giese, Greider, Groshek,
Guiles, Hanna, Helgeson, Hephner, Jackamonis, Jackson,
Johnson G. K., Johnson W. A., Jones, Kafka, Kessler,
Klecza, Klicka, LaFave, Lewison, Luckhardt, McCormick,
McDougal, McEssy, Mato, Merkel, Miller, Molinaro, Nager,
O'Malley, Oberle, Orlich, Otte, Pabst, Quackenbush, Quinn,
Roberts, Schricker, Schroeder, Schwefel, Shabaz, Sicula,
Slaby, Stack, Stalbaum, Thompson T. G., Tobiasz, Tregon-
ing, Vanderperren, Wackett, Wahner, Wilcox, Wilger, Will-
kom and Mr. Speaker—70.

Noes—Baldus, Barbee, Boeckmann, Bultman, Dueholm,
Duren, Earl, Early, Ferrall, Gaulke, Grover, Hanson, Kor-
pela, Looby, Lynn, Mielke, Mittness, Mohn, Oestreicher,
Rogers, Rutkowski, Sanasarian, Schneider, Sensenbrenner,
Sweda, Swoboda and Thompson R. M.—27.

Absent or not voting—Lipscomb and Schowalter—2.

Motion carried.

CALENDAR OF THURSDAY, FEBRUARY 18, 1971

**SECOND READING AND AMENDMENT OF
ASSEMBLY BILLS**

Assembly Bill 31

Relating to the standard of time.

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Representative Conradt asked unanimous consent to withdraw Assembly Bill 31 from the calendar of February 18 and refer it to the calendar of February 25. Granted.

Representative Hephner asked unanimous consent to place Assembly Bill 110 at the foot of today's calendar. Granted.

Assembly Bill 129

Relating to payment by the state in connection with certain lands acquired by the state, and its proportionate share of school bond issues secured by such lands.

Representative Wilcox moved that Assembly Bill 129 be withdrawn from the calendar and referred to the joint committee on Finance.

The question was: Shall Assembly Bill 129 be withdrawn from the calendar and referred to the joint committee on Finance?

The roll was taken.

The vote follows:

Ayes—Alberts, Azim, Bradley, Bultman, Byers, Czerwinski, Ellis, Froehlich, Greider, Guiles, Helgeson, Hephner, Klicka, Lewison, Luckhardt, McDougal, Merkel, Quinn, Rutkowski, Schricker, Schroeder, Sensenbrenner, Shabaz, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—28.

Noes—Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Brown, Conta, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Giese, Groshek, Grover, Hanna, Hanson, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kafka, Kessler, Kleczka, Korpela, LaFave, Looby, Lynn, McCormick, McEssy, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Quackenbush, Roberts, Rogers, Sanasarian, Schneider, Schwefel, Sricula, Slaby, Stack, Stalbaum, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—68.

Absent or not voting—Conradt, Lipscomb and Schowalter—3.

Motion failed.

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The question was: Shall the bill be ordered engrossed and read a third time?

Motion carried.

Representative Anderson asked unanimous consent to refer Assembly Bill 129 to the joint committee on Finance. Granted.

Assembly Bill 110

Relating to development and use of standard plans for construction of new school buildings.

Assembly amendment 1 to Assembly Bill 110 offered by Representative Hephner.

Representative Anderson asked unanimous consent that Assembly Bill 110 be laid on the table. Granted.

SECOND READING AND AMENDMENT OF
SENATE BILLS

Senate Bill 89

Relating to expense accounts for legislators.

Representative Anderson asked unanimous consent that Senate Bill 89 be laid on the table. Granted.

Representative Anderson asked unanimous consent to return to the 10th order of business. Granted.

MOTIONS

Representative Day asked unanimous consent that Assembly Bill 202 be withdrawn from the committee on Agriculture and referred to the committee on State Affairs.

Representative Dueholm objected.

Representative Day moved that Assembly Bill 202 be withdrawn from the committee on Agriculture and referred to the committee on State Affairs.

Representative Day asked unanimous consent to make a statement. Granted.

Representative Anderson asked unanimous consent that the assembly recess for 15 minutes. Granted.

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The assembly stood recessed.

11:20 A.M.

RECESS

12:15 P.M.

The assembly reconvened.

Representative Day asked unanimous consent to withdraw his motion to withdraw Assembly Bill 202 from the committee on Agriculture and refer it to the committee on State Affairs. Granted.

Representative Froehlich asked unanimous consent to make a statement. Granted.

Representative Froehlich moved that the rules be suspended and Assembly Bill 202 be withdrawn from the committee on Agriculture and placed on the calendar.

The question was: Suspension of the rules to refer Assembly Bill 202 to the calendar?

The roll was taken.

The vote follows:

Ayes—Alberts, Azim, Bradley, Byers, Conradt, Ellis, Froehlich, Giese, Greider, Guiles, Helgeson, Hephner, Klicka, LaFave, Lewison, Luckhardt, McDougal, McEssy, Merkel, Quackenbush, Quinn, Roberts, Schowalter, Schricker, Schroeder, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—33.

Noes—Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Groshek, Grover, Hanna, Hanson, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kafka, Kessler, Kleczka, Korpela, Looby, Lynn, McCormick, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Rogers, Rutkowski, Sanasarian, Schneider, Sicula, Slaby, Stack, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—64.

Absent or not voting—Lipscomb and Schwefel—2.

Motion failed.

Representative Anderson asked unanimous consent for a leave of absence for Representative Lipscomb. Granted.

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Representative W. A. Johnson asked unanimous consent that, when the assembly adjourns today, it adjourns in honor of Representative Orlich's birthday. Granted.

Representative Bradley asked unanimous consent that **Assembly Bill 133** be withdrawn from the joint Survey committee on Tax Exemptions and referred to the committee on Agriculture.

Representative Dueholm objected.

Representative Bradley moved that **Assembly Bill 133** be withdrawn from the joint Survey committee on Tax Exemptions and referred to the committee on Agriculture.

The question was: Shall **Assembly Bill 133** be withdrawn from the joint Survey committee on Tax Exemptions and referred to the committee on Agriculture?

The roll was taken.

Representative Anderson asked unanimous consent that the last roll call be expunged from the record. Granted.

The question was: Shall **Assembly Bill 133** be withdrawn from the joint Survey committee on Tax Exemptions and referred to the committee on Agriculture?

The roll was taken.

The vote follows:

Ayes—Alberts, Azim, Boeckmann, Bradley, Byers, Conradt, Ellis, Froehlich, Giese, Greider, Guiles, Helgeson, Hephner, Kafka, Klicka, LaFave, Lewison, Luckhardt, McDougal, McEssy, Merkel, Quackenbush, Quinn, Schowalter, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—85.

Noes—Anderson, Atkinson, Baldus, Barbee, Berger, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Groshek, Grover, Hanna, Hanson, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, Looby, Lynn, McCormick, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Sanasarian, Schneider, Sicula, Slaby, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—61.

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Absent or not voting—Lipscomb, Rutkowski and Stack
—3.

Motion failed.

MOTION UNDER JOINT RULE 26

The State of Wisconsin * * * Citation by the Legislature
Know you by these presents:

Whereas, for the 3rd year in a row, the Theta Chi fraternity on the campus of the University of Wisconsin is sponsoring its unusual and eminently worthy effort on behalf of the Cancer Society in its "Ski for Cancer" outing at the Adams-Friendship Skyline Ski Resort on Saturday, February 20, 1971, featuring free bus rides, bands, snowmobiles and beer; now, therefore,

The members of the Wisconsin Legislature, on the motion of Representative T. G. Thompson and Senator Bidwell, under Joint Rule 26, do heartily commend and endorse the worthwhile effort epitomized by "Ski for Cancer", which was originated by James Huhta, a University of Wisconsin student from Superior and member of Theta Chi.

The question was: Adoption?

Motion carried.

Representative Anderson asked unanimous consent that the rules be suspended, and that the assembly's action on the Motion Under Joint Rule 26 be immediately messaged to the senate. Granted.

Representative Wilcox asked unanimous consent that Assembly Bill 104 be withdrawn from the committee on Natural Resources and be referred to the calendar.

Representative Mittness objected.

Representative Wilcox moved that Assembly Bill 104 be withdrawn from the committee on Natural Resources and be referred to the calendar.

The question was: Shall Assembly Bill 104 be withdrawn from the committee on Natural Resources and be referred to the calendar?

The roll was taken.

The vote follows:

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Ayes—Alberts, Azim, Bradley, Byers, Conradt, Ellis, Froehlich, Giese, Greider, Guiles, Helgeson, Hephner, Kafka, Klicka, Lewison, Luckhardt, McDougal, McEssy, Merkel, Quackenbush, Quinn, Schricker, Schroeder, Schwefel, Sensenbrenner, Shabaz, Stalbaum, Thompson T. G., Tregoning, Wackett, Wilcox and Wilger—32.

Noes—Anderson, Atkinson, Baldus, Barbee, Berger, Boeckmann, Bolle, Brown, Bultman, Conta, Czerwinski, Day, Dorff, Dueholm, Duren, Earl, Early, Everson, Ferrall, Gaulke, Groshek, Grover, Hanna, Hanson, Jackamonis, Jackson, Johnson G. K., Johnson W. A., Jones, Kessler, Kleczka, Korpela, LaFave, Looby, Lynn, McCormick, Mato, Mielke, Miller, Mittness, Mohn, Molinaro, Nager, O'Malley, Oberle, Oestreicher, Orlich, Otte, Pabst, Roberts, Rogers, Rutkowski, Sanasarian, Schneider, Sicula, Slaby, Sweda, Swoboda, Thompson R. M., Tobiasz, Vanderperren, Wahner, Willkom and Mr. Speaker—64.

Absent or not voting—Lipscomb, Schowalter and Stack—3.

Motion failed.

VISITORS

During today's session, the following visitors honored the assembly by their presence, and were welcomed by the presiding officer and the members:

Hubert L. Jacobson, Albion, Wisconsin, guest of Representative Everson.

During today's session, the following visitors honored the assembly by their presence.

Seventh grade social science class, St. Patrick's School and teacher Sister Patricia Burke, Madison, Wisconsin, guests of Representative Nager.

Representative Anderson moved that the assembly adjourn until 9:30 A.M., Friday, February 19, 1971.
Motion carried.

The assembly stood adjourned.

12:40 P.M.